

## **FACTSHEET**

**TITLE:** **CHANGE OF ZONE NO. 05059**, from H-3 Highway Commercial District and I-2 Industrial Park District to I-1 Industrial District, requested by Tom Huston on behalf of Molex, Inc., on property generally located at N.W. 12<sup>th</sup> Street and West Bond Circle.

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: Consent Agenda: 08/31/05  
Administrative Action: 08/31/05

**STAFF RECOMMENDATION:** Approval.

**RECOMMENDATION:** Approval (8-0: Carlson, Carroll, Esseks, Krieser, Larson, Pearson, Bills-Strand, and Taylor voting 'yes'; Sunderman declared a conflict of interest).

### **FINDINGS:**

1. The purpose of this change of zone request is to allow Molex, Inc. to make changes to their dock area because the existing I-2 zoning would prohibit the improvements because of required yard setbacks.
2. The staff recommendation of approval is based upon the "*Analysis*" as set forth on p.2, concluding that the proposed change of zone request is in conformance with the Comprehensive Plan.
3. On August 31, 2005, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
4. On August 31, 2005, the Planning Commission voted 8-0 to recommend approval (Commissioner Sunderman declared a conflict of interest).

**FACTSHEET PREPARED BY:** Jean L. Walker

**DATE:** September 7, 2005

**REVIEWED BY:** \_\_\_\_\_

**DATE:** September 7, 2005

**REFERENCE NUMBER:** FS\CC\2005\CZ.05059

## LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for August 31, 2005 PLANNING COMMISSION MEETING

**PROJECT #:** Change of Zone No.05059

**PROPOSAL:** From H-3 and I-2 to I-1

**LOCATION:** NW 12<sup>th</sup> & West Bond Cir.

**LAND AREA:** 14.43 acres, more or less

**CONCLUSION:** This request is in conformance with the comprehensive plan.

**RECOMMENDATION:**

Approval

### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lots 8-11 and a portion of Lot 12, Block 1 and Lots 1 & 2, Block 3 Union Pacific Addition, located in the SE 1/4 of Section 9-T10N-R6E and the SW 1/4 of Section 10-T10N-R6E

**EXISTING ZONING:** H-3 and I-1

**EXISTING LAND USE:** Commercial/Industrial

### **SURROUNDING LAND USE AND ZONING:**

North:	I-2	Industrial
South:	H-3	Commercial
East:	H-3	Commercial
West:	AG	Railroad corridor

### **HISTORY:**

February 9, 2004 Change of Zone #3432 from I-2 to H-3 on the south 192 feet of Lot 8, Block 1, Union Pacific Addition was approved by the City Council.

This area was changed from M-Restricted Industrial District to I-2-Industrial Park district during the 1979 zoning update.

### **COMPREHENSIVE PLAN SPECIFICATIONS:**

The Land Use Plan in the 2025 Comprehensive plan identifies this area as industrial.  
(F-25)

**UTILITIES:** All utilities are existing

**TRAFFIC ANALYSIS:** N.W. 12<sup>th</sup> St. is classified as a minor arterial. W. Bond Cir. is classified as a local road.

**ANALYSIS:**

1. This is a request to change the zoning from I-2 and H-3 to I-1.
2. The purpose statement identifies the reason for this change of zone is to allow Molex, Inc. to make changes to their dock area. The I-2 district would prohibit these improvements because of required yard setbacks.
3. Setbacks for I-1 and I-2 are as follows:

	<u>Front</u>	<u>Side</u>	<u>Rear</u>
I-1	15'	0'*	0'*
I-2	50'	20'***	20'***

\* when abutting a residential district the rear and side yard shall be 20' or ten percent of lot width.

\*\* when abutting a residential district the rear and side yard shall be 50'

4. The I-1 district is intended for developing stable or redeveloping areas with light and heavy industrial uses.
5. I-1 is generally a less intense zoning district. Most of the same uses are allowed in I-1 and I-2, however many of the uses require a special permit in the I-1 district.

Prepared by:

Tom Cajka  
Planner

**DATE:** August 17, 2005

**APPLICANT:** Molex, Inc.  
1400 W. Bond Cir.  
Lincoln, NE 68521

**OWNER:** same as applicant

**CONTACT:** Tom Huston  
233 South 13<sup>th</sup> St., Suite 1900  
Lincoln, NE  
(402) 474-6900

## CHANGE OF ZONE NO. 05059

### CONSENT AGENDA

### PUBLIC HEARING & ADMINISTRATIVE ACTION

### BEFORE PLANNING COMMISSION:

August 31, 2005

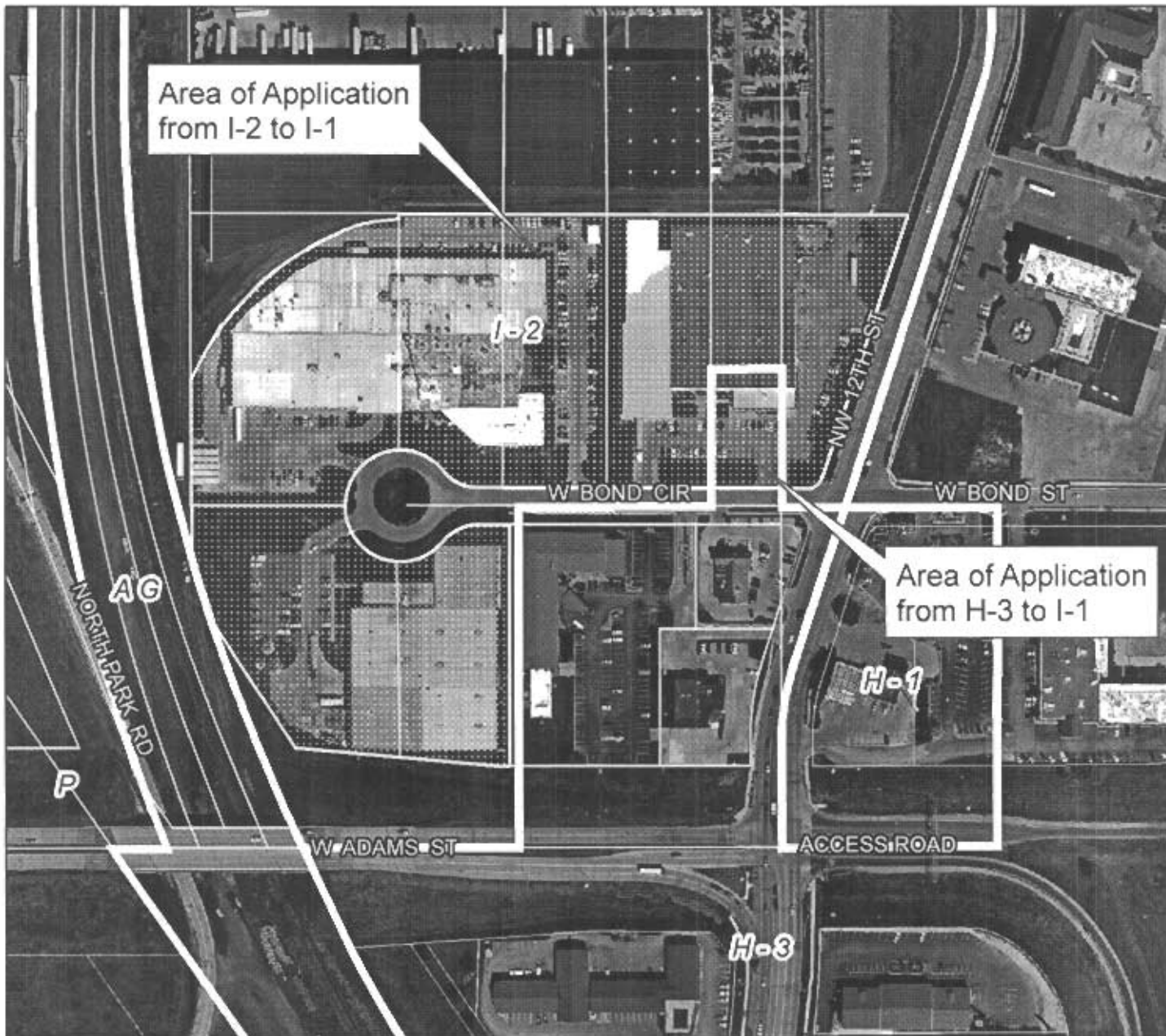
Members present: Carlson, Carroll, Esseks, Krieser, Larson, Pearson, Bills-Strand, Sunderman and Taylor.

The Consent Agenda consisted of the following items: **COUNTY CHANGE OF ZONE NO. 05058, CHANGE OF ZONE NO. 05059, PRE-EXISTING SPECIAL PERMIT NO. 23F, PRE-EXISTING SPECIAL PERMIT NO. 33A, SPECIAL PERMIT NO. 1629F, SPECIAL PERMIT NO. 05042 and SPECIAL PERMIT NO. 05043.**

Ex Parte Communications: None.

Taylor moved to approve the Consent Agenda, seconded by Bills-Strand and carried 8-0: Carlson, Carroll, Esseks, Krieser, Larson, Pearson, Bills-Strand, and Taylor voting 'yes'; Sunderman declared a conflict of interest.

Note: This is final action on Pre-Existing Special Permit No. 23F, Pre-Existing Special Permit No. 33A and Special Permit No. 05042, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days.



## Change of Zone #05059 NW 12th & W Bond Cir

2005 aerial

### Zoning:

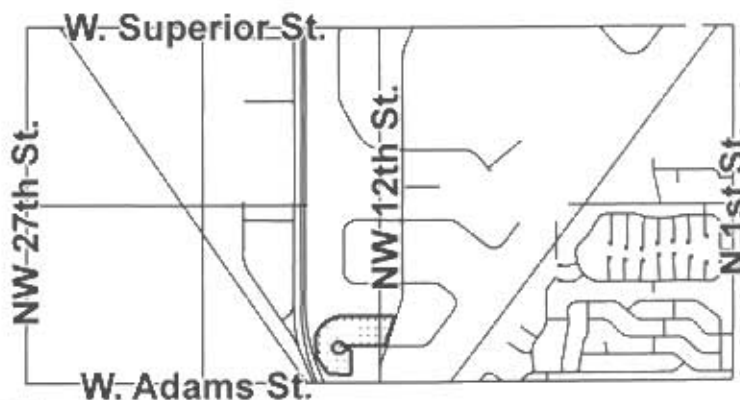
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

Two Square Mile  
Sec. 9 T10N R6E  
Sec. 10 T10N R6E



Zoning Jurisdiction Lines

City Limit Jurisdiction



LAW OFFICES OF  
**CLINE, WILLIAMS, WRIGHT, JOHNSON & OLDFATHER, L.L.P.**

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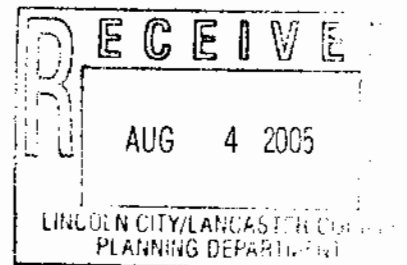
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LAURA R. HEGGE

CHARLES E. WRIGHT, COUNSEL  
CHARLES M. PALLESEN, JR., COUNSEL  
ALAN E. PETERSON, COUNSEL  
RICHARD P. JEFFRIES, COUNSEL

July 26, 2005

Mr. Marvin Krout, Director of Planning  
Lincoln City/Lancaster County Planning Department  
555 South 10th Street, Suite 213  
Lincoln NE 68508

Re: Change of Zone Application for  
Molex, Inc., Yasufuku USA, Inc.,  
and LLL Investments  
Our File: MOL03-RE001



Dear Mr. Krout:

I represent Molex, Inc., and hereby submit an application to change the underlying zoning designation of the Molex property located at 1400 West Bond Circle from the I-2 Industrial Park District to the I-1 Industrial District. The application of Molex, Inc., is joined by its neighbors, LLL Investments and Yasufuku USA, Inc. With the change of zone from the I-2 to the I-1 District, Yasufuku USA, Inc., will be deemed to have received a special permit for its rubber manufacture operation pursuant to LMC §27.63.040.

To that end, I enclose the following:

1. Application seeking to change the zone of the Molex, Inc., Yasufuku USA, Inc., and LLL Investments property from the I-2 Industrial Park District to the I-1 Industrial District;
2. A plat map of the proposed zoning change area;

L0655492.1

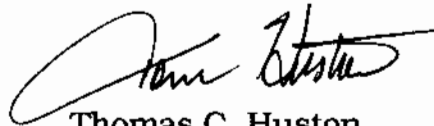
July 26, 2005

Page 2

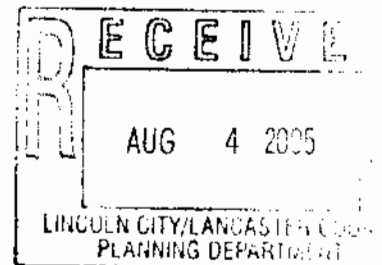
3. Purpose statement for the change of zone;
4. Consent letters from LLL Investments, Yasufuku USA, Inc., and Molex, Inc.; and
5. A check made payable to the City of Lincoln in the amount of \$740 for the change of zone application.

Please let me know if you have any questions.

Sincerely,



Thomas C. Huston  
For the Firm



Enc.

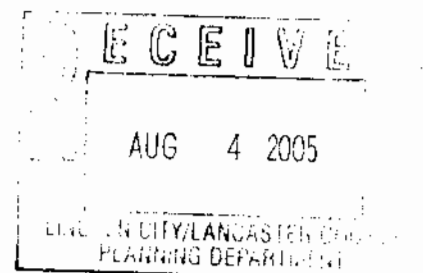
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**PURPOSE STATEMENT FOR CHANGE OF ZONE  
FROM I-2 INDUSTRIAL PARK DISTRICT  
TO I-1 INDUSTRIAL DISTRICT**

This Purpose Statement accompanies the zoning application filed on behalf of LLL Investments, Yasufuku USA, Inc., and Molex, Inc. These three property owners own real estate located around West Bond Circle in the Union Pacific Addition near the Lincoln airport. They have jointly filed an application to change their underlying zoning designation from the I-2 Industrial Park District to the I-1 Industrial District.

The purpose of the change is to permit Molex to make changes to their dock area. The required setbacks for the I-1 District will allow Molex to make the required dock improvements. The I-2 Industrial Park District would prohibit these improvements to the dock area of the Molex structure.

The change from the I-2 Industrial Park District to the I-1 Industrial District has no effect on the operations of these property owners. Yasufuku USA, Inc., manufactures rubber products and shall be deemed to have received a special permit therefor upon approval of the change of zone pursuant to LMC §27.63.040.







August 4, 2005

**Mr. Marvin Krout  
Lincoln City/Lancaster County Planning Dept.  
555 South 10<sup>th</sup> Street  
Lincoln NE 68508**

**Re: Change of Zone from I-2 Industrial Park District  
to I-1 Industrial District**

**Dear Mr. Krout:**

**Molex Incorporated, hereby submits the change of zone application for our real property located at 1400 West Bond Circle, legally described as Lots 10, 11, and part of 12, Block 1, Union Pacific Addition, Lincoln, Lancaster County, Nebraska. Molex Incorporated, has approached its neighbors, LLL Investments, that owns the property at 1401 West Bond Circle, and Yasufuku USA, Inc., located at 3201 N.W. 12<sup>th</sup> Street. Both neighbors have agreed to join in the application of Molex. The purpose of this letter is to provide the consent of Molex to the change of zone application. Please let me know if you have any questions.**

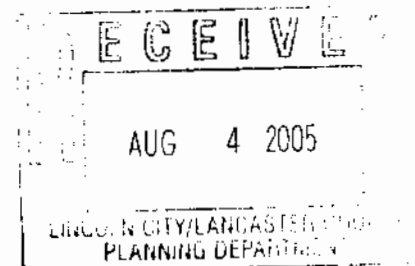
**Sincerely,**

**Dan Vontz, Plant Manager  
Molex Incorporated**

A handwritten signature in black ink, appearing to read "Dan Vontz", with a stylized flourish at the end.

**L0655490.1**

**MOLEX INCORPORATED**  
700 KINGBIRD ROAD, LINCOLN, NE 68521-3000  
TELEPHONE (402) 475-1700  
[www.molex.com](http://www.molex.com)



July 26, 2005

Mr. Marvin Krout  
Lincoln City/Lancaster County Planning Dept.  
555 South 10<sup>th</sup> Street  
Lincoln NE 68508

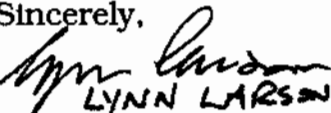
Re: Change of Zone from I-2 Industrial Park District  
to I-1 Industrial District

Dear Mr. Krout:

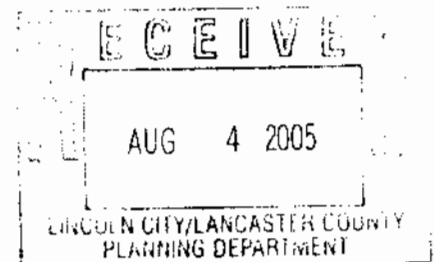
LLL Investments owns and operates the real property located at 1401 West Bond Circle, legally described as Lots 1 and 2 (except that strip on the south), Block 3, Union Pacific Addition, Lincoln, Lancaster County, Nebraska. LLL Investments has been approached by its neighbor, Molex, Inc., to join it in its application seeking to change of zone from the I-2 Industrial Park District to the I-1 Industrial District to allow Molex to make improvements to its dock area. This letter shall serve as the consent and approval of LLL Investments to join in the application and change the zone of our property to the I-1 Industrial District.

Should you have any questions, please call.

Sincerely,

  
LYNN LARSON

LLL Investments  
1401 West Bond Circle  
Lincoln NE 68521





**YASUFUKU U.S.A., INC.**

3201 N.W. 12th, Suite 1  
Lincoln, NE 68521  
Tel (402) 434-1900 / Fax (402) 434-1907

August 2, 2005

**Mr. Marvin Krout  
Lincoln City/Lancaster County Planning Dept.  
555 South 10<sup>th</sup> Street  
Lincoln NE 68508**

**Re: Change of Zone from I-2 Industrial Park District  
to I-1 Industrial District**

**Dear Mr. Krout:**

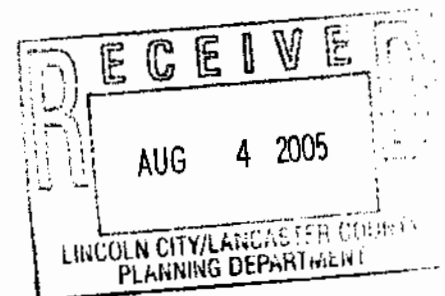
Yasufuku USA, Inc., owns and operates the real property located at 3201 N.W. 12<sup>th</sup> Street, legally described as Lots 7, 8, and 9, Block 1, Union Pacific Addition, Lincoln, Lancaster County, Nebraska. Yasufuku USA, Inc., has been approached by its neighbor, Molex, Inc., to join it in its application seeking to change the zone of our property from the I-2 Industrial Park District to the I-1 Industrial District to allow Molex to make improvements to its dock area.

Yasufuku USA, Inc., consents to the change of zone with the understanding that such change of zone will have no effect on the operations and the company will be deemed to have received a special permit therefor upon the approval of the change of zone pursuant to LMC §27.63.040.

Should you have any questions, please call.

Sincerely,

**Masaru Oda, Executive Vice President  
Yasufuku USA, Inc.**



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CHARLES E. WRIGHT, COUNSEL  
RICHARD P. JEFFRIDS, COUNSEL

August 15, 2005

Telecopy  
441-6377

Mr. Ray Hill  
Lincoln Lancaster-County Planning Department  
555 South 10th Street, Suite 213  
Lincoln NE 68508

Re: Change of Zone Application for Molex, Inc.,  
Yasufuku U.S.A., Inc., and LLL Investments, L.L.C.  
Our File: MOL03-RE001

Dear Mr. Hill:

Pursuant to our discussions, I represent Molex, Inc., and via a submittal letter dated July 26, 2005, I submitted a change of zone application seeking to change the underlying zoning designation of the Molex property located at 1400 West Bond Circle from the I-2 Industrial Park District to the I-1 Industrial District. The change of zone application filed on behalf of Molex was joined by the abutting property owners, LLL Investments, L.L.C., and Yasufuku U.S.A., Inc.

The application itself provided the legal description of the real estate owned by the three applicants. Please consider this letter to be an amendment to the application to delete Lot 7, Block 1, Union Pacific Addition, from the application as real estate owned by Yasufuku U.S.A., Inc. This Lot 7 in question serves as the parking lot for the Yasufuku U.S.A. manufacturing facility and does not have direct access to West Bond Circle. Lot 7 has frontage on and takes access to West Commerce Way, located north of the property in question.

L0657719.1

August 15, 2005  
Page 2

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Huston", written over the printed name.

Thomas C. Huston  
For the Firm

c: Stuart Zetterman  
Robb Maddox